

FILED

MAR 07 2014

Clerk, U.S. District Court
District Of Montana
Missoula

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

GLORIA WELLS,

Plaintiff,

vs.

COUNTY OF GALLATIN, SHERIFF'S
DEPARTMENT, SHERIFF,
DETENTION FACILITY, COUNTY
ATTORNEY, MISSOURI RIVER DRUG
TASK FORCE, JANE AND JOHN DOES
et al., individually and in their own
capacity,

Defendants.

CV 13-91-BU-DWM-JCL

ORDER

Gloria Wells brings this action pro se, alleging she was incarcerated in the Gallatin County jail for 393 days without legal authority. Magistrate Judge Jeremiah Lynch recommends this Court dismiss Wells' Complaint. (Doc. 5.)

Wells has not filed objections to Judge Lynch's Findings and Recommendation. The Court reviews the findings and recommendations that are

not specifically objected to for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Wells lists general allegations of illegal search and seizure, illegal recording devices, denial of access to legal materials, abuse of discretion by law enforcement, abuse of power by law enforcement, outrageous conduct by law enforcement, and violation of oath of office by the Gallatin County Attorney for failure to uphold the constitutions of the United States and the State of Montana. The Court finds no clear error with Judge Lynch's determination that the Complaint should be dismissed because Wells' claims are barred by the applicable statute of limitations.

Accordingly, IT IS ORDERED that the Findings and Recommendation (Doc. 5) are ADOPTED IN FULL. Wells' Complaint (Doc. 1) is DISMISSED.

IT IS FURTHER ORDERED that the Clerk of Court is directed to close this matter and enter judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

IT IS FURTHER ORDERED that the Clerk of Court is directed to have the docket reflect that the Court certifies pursuant to Fed. R. App. P. 24(a)(3)(A) that any appeal of this decision would not be taken in good faith. The record makes

plain the instant Complaint is frivolous and lacks arguable substance in law or fact.

Dated this 7th day of March, 2014.

A handwritten signature in black ink, appearing to read 'Donald W. Molloy', written over a horizontal line.

Donald W. Molloy, District Judge
United States District Court